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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/673,059	09/26/2003	Stefan Bagstrom	944-1.117	1237

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EXAMINER

PEREZ, JULIO R

ART UNIT PAPER NUMBER

2617

DATE MAILED: 06/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/673,059

Applicant(s)

BAGGSTROM ET AL.

Examiner

Julio R. Perez

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– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE \_\_\_\_\_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on Marxh 10, 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 9/26/03 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948)     | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

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### **DETAILED ACTION**

1. The Art Unit location of your application in the USPTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to Art Unit 2617.

### ***Response to Arguments***

2. Applicant's arguments with respect to claims 1-20 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 102***

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Gunnarsson et al., Publication No. 20030118015 (hereinafter Gunnarsson).

Regarding claim 1, Gunnarsson discloses a device obtaining information about currently active cellular network systems (paragraphs 0012-0017, the mobile transmits a signal to a system, thus being detected by its presence at its location); and the device deciding whether to allow establishing a network connection on behalf of an application hosted by the device based on factors including the information about currently active cellular network systems (paragraphs 0014-0021, after the mobile is registered in the current system, the system provides the mobile with its corresponding parameters in order to be able to work in the current system, where the mobile is stationed).

Regarding claim 2, Gunnarsson discloses, wherein the information about currently active cellular network systems includes information about combinations of different kinds of connections allowed by each currently active cellular network system (paragraphs 0012-0021).

Regarding claim 3, Gunnarsson discloses, wherein the factors also include information about connections currently in use or wherein the information about currently active cellular network systems includes information about connections currently in use (paragraphs 0014-0021).

Regarding claim 4, Gunnarsson discloses, wherein the information about connections currently in use includes at least the number and type of connections currently in use (page 1-2, 0010-0014, type of connection is provided to the mobile).

Regarding claim 5, Gunnarsson discloses, further request made of a network resource controller within the device for permission to establish the network connection and the request includes an identifier corresponding to the application requesting the network connection (paragraphs 0014-0021); and wherein the information about connections currently in use includes identifiers for applications using the connections currently in use, and further wherein the factors also include the identifier for the application and the identifiers for applications using the connections currently in use (paragraphs 0012-0021).

Regarding claims 6, Gunnarsson discloses, wherein the factors also include the maximum amount of concurrent packet switched data allowed by the connections currently in use (paragraphs 0012-0021).

Regarding claim 7, Gunnarsson discloses, wherein the active cellular network systems include at least a GSM network, a WCDMA network, or a CDMA2000 network (paragraphs 0012-0021).

Regarding claim 8, Gunnarsson discloses a mobile terminal, equipped to establish a network connection on behalf of an application hosted by the mobile terminal, comprising: a resource manager, responsive to a signal from the application to establish the connection, for providing a request to allow establishing the connection (paragraphs 0012-0021, 0024-0026, a mobile requests a connection to a system); and a network resource control module responsive to a request to allow establishing the connection, and also responsive to information about currently active cellular systems, for determining whether to allow establishing the connection based on factors including the information about currently active cellular network systems (paragraphs 0012-0021, 0024-0026, after the mobile is registered in the current system, the system provides the mobile with its corresponding parameters in order to be able to work in the current system, where the mobile is stationed; after registration with a working system, the mobile is able to establish a connection).

Regarding claim 9, Gunnarsson discloses, wherein the information about currently active cellular network systems includes information about combinations of different kinds of connections allowed by each currently active cellular network system (paragraphs 0012-0021, 0024-0026).

Regarding claim 10, Gunnarsson discloses, wherein the factors also include information about connections currently in use or wherein the information about

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currently active cellular network systems includes information about connections currently in use or wherein the information about connections currently in use includes at least the number and type of connections currently in use (paragraphs 0012-0021, 0024-0026).

Regarding claim 11, Gunnarsson discloses, wherein the information about connections currently in use includes at least the number and type of connections currently in use (paragraphs 0012-0021, 0024-0026).

Regarding claim 12, Gunnarsson discloses, means for making the request for permission to establish the network connection with the request including an identifier corresponding to the application requesting the network connection (page 0011-0012); wherein the information about connections currently in use includes identifiers for applications using the connections currently in use, and further wherein the factors also include the identifier for the application and the identifiers for applications using the connections currently in use (paragraphs 0012-0021, 0024-0026).

Regarding claims 13, Gunnarsson discloses, wherein the factors also include the maximum amount of concurrent packet switched data allowed by the connections currently in use (paragraphs 0012-0021).

Regarding claim 14, Gunnarsson discloses, wherein the active cellular network systems include at least a GSM network, a WCDMA network, or a CDMA2000 network (paragraphs 0012-0021).

Regarding claim 15, Gunnarsson discloses, further characterized in that also comprises a cellular network information server, responsive to a request to provide the

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information about currently active cellular systems, for providing such information (paragraphs 0012-0021).

Regarding claim 16, Gunnarsson discloses, a computer readable storage structure embodying computer program code thereon for execution by a computer processor in a telecommunication terminal, with said computer program code characterized in that it includes programming instructions (paragraphs 0012-0021).

Regarding claim 17, Gunnarsson discloses, a computer readable storage structure embodying computer program code thereon for execution by a computer processor in a telecommunication terminal, with said computer program code characterized in that it includes instructions for performing the steps (paragraphs 0012-0021).

Regarding claim 18, Gunnarsson discloses, a computer readable storage structure embodying computer program code thereon for execution by a computer processor in a telecommunication terminal, with said computer program code characterized in that it includes instructions for performing the steps (paragraphs 0012-0021).

Regarding claim 19, Gunnarsson discloses, a system, comprising an operator network having at least one cellular system, and also comprising a mobile terminal (paragraphs 0012-0021).

Regarding claim 20, Gunnarsson discloses, a system, comprising an operator network having at least one cellular system, and also comprising a mobile terminal (paragraphs 0012-0021).

***Conclusion***

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.


5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Julio R. Perez whose telephone number is (571) 272-7846. The examiner can normally be reached on 10:30 - 6:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph H. Feild can be reached on (571) 272- 4090. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.




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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
6/29/06

Julio R Perez  
Examiner  
Art Unit 2617

  
JOSEPH FEILD  
SUPERVISORY PATENT EXAMINER